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9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 MARJORIE FOUNDS, as Wrongful Death
13 Heir, and as Successor-in-Interest to DONALD
FOUNDS, Deceased, and, as Legal Heirs of
14 DONALD FOUNDS, Deceased,

15 Plaintiff,

16 v.

17 FOSTER WHEELER LLC, et al.,

18 Defendant.

Case No. 3:11-cv-02212-JSW

VACATING

~~PROPOSED~~ ORDER TO CONTINUE
THE CASE MANAGEMENT
CONFERENCE SET FOR AUGUST 26,
2011

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20 On August 22, 2011, the parties to this action filed a Stipulation and Request for an
21 Order to Continued the Case Management Conference Set for August 26, 2011. The Stipulation
22 set forth the following facts:

23 1. On August 8, 2011, the Judicial Panel on Multidistrict Litigation ("JPML")
24 pursuant to 28 U.S.C. § 1407, transferred the above-referenced matter to the Eastern District of
25 Pennsylvania, under Consolidate Case No. MDL No. 875, and assigned Case No. 2:11-cv-
26 67265. This transfer was in accordance with the JPML's Conditional Transfer Order No. 427,
27 issued July 28, 2011.

28 //

1 2. The parties agree that the JPML has entered a transfer order, however, the Court
2 has not yet received the Certified Transfer Order from the JPML. Further, it is likely the date
3 set for the Case Management Conference will pass before this Court receives the Certified
4 Transfer Order.

5 3. ~~The parties agree that the Case Management Conference set for August 26, 2011~~
6 ~~at 1:30 p.m. at the United States District Court for the Northern District of California,~~
7 ~~Courtroom 11, should be continued to September 30, 2011.~~

8 THEREFORE, IT IS HEREBY ORDERED that the Case Management Conference set
9 for August 26, 2011 is VACATED. ~~The Case Management Conference shall be continued to~~
10 ~~September 30, 2011.~~ The Court finds a continuance unnecessary. If either party believes that a
11 case management before this Court is necessary, it may file a request to
12 have the matter placed on calendar.

13 DATED: August 23, 2011

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Hon. Jeffrey S. White